



RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE

IN THE U.S. PATENT AND TRADEMARK OFFICE

December 14, 2005

Applicants: Yuji AKIMOTO et al

For: METHOD FOR MANUFACTURING METAL POWDER

Serial No.: 10/657 569 Group: 1742

Confirmation No.: 9860

Filed: September 8, 2003 Examiner: Wyszomierski

Atty. Docket No.: 4700.P0293US

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR RECORDING OF TERMINAL DISCLAIMER

Sir:

Enclosed is a Terminal Disclaimer for recording against this application. A check for \$65.00 is enclosed to cover the cost of recording the Terminal Disclaimer.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

IN DUPLICATE

TFC/smd


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PATENT APPLICATION

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TERMINAL DISCLAIMER


I, the undersigned, state that I am the legal representative for Shoei Chemical, Inc., having a place of business at 1-1, Nishishinjuku 2-chome, Shinjuku-ku, Tokyo, Japan, and am empowered to act on behalf of Shoei Chemical, Inc. in making this Terminal Disclaimer, that Shoei Chemical, Inc. is the assignee of the entire right, title and interest in and to application Serial No. 10/657 569, filed September 8, 2003, by virtue of an assignment recorded on September 8, 2003 at Reel 014478, Frame 0394, and hereby certify, to the best of Shoei Chemical, Inc.'s knowledge and belief, that title is in Shoei Chemical, Inc., and at the time the invention described and claimed in application Serial No. 10/630 394, filed on July 30, 2003, was made, all of the inventors of said claimed invention were subject to an obligation to assign and convey the subject matter of application Serial No. 10/630 394 to Shoei Chemical, Inc.

Shoei Chemical, Inc. hereby disclaims the terminal part of any patent granted on application Serial No. 10/657 569, and any continuations and divisions thereof, which would extend beyond the expiration date of any patent granted on application Serial No. 10/630 394, and any continuations or divisions thereof, and hereby agrees that any patent so

granted on application Serial No. 10/657 569, and any continuations or divisions thereof, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on application Serial No. 10/630 394, and any continuations or divisions thereof, this agreement to run with any patent granted on application Serial No. 10/657 569, and any continuations or divisions thereof, and to be binding upon the grantee, its successors or assigns.

Shoei Chemical, Inc. does not disclaim any terminal part of any patent granted on application Serial No. 10/657 569 that would extend to the full statutory term as presently shortened by any terminal disclaimer of any patent granted on application Serial No. 10/630 394, and any continuations or divisions thereof, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Dated December 14, 2005


Terrence F. Chapman
Reg. No. 32 549